

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

Lesa R. Tard,)	
)	
)	
Plaintiff,)	
)	
v.)	No. 12-2722
)	
)	
Baptist Memorial Hospital,)	
)	
)	
Defendant.)	

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Magistrate Judge's November 20, 2013 Report and Recommendation (the "Report") recommending that Baptist Memorial Hospital's ("Baptist") Motion for Summary Judgment (the "Motion") be granted. (Rep., ECF No. 21.) Service of the Report to the Plaintiff, Lesa R. Tard ("Tard"), was returned to the Clerk of Court on December 3, 2013. (ECF No. 22.) On December 13, 2013, the Clerk of Court mailed a copy of the Report to Tard's correct address. Tard has not objected to the Report and the time to do so has passed. For the following reasons, the Report is ADOPTED and the motion for summary judgment is GRANTED.

The court is required to screen in forma pauperis complaints and to dismiss any complaint, or any portion thereof,

if the action (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of district court duties to magistrate judges. See United States v. Curtis, 237 F.3d 598, 602 (6th Cir. 2001) (citing Gomez v. United States, 490 U.S. 858, 869-70 (1989)); see also Baker v. Peterson, 67 F. App'x 308, 310 (6th Cir. 2003). "A district judge must determine de novo any part of a magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C). After reviewing the evidence, the court is free to accept, reject, or modify the proposed findings or recommendations of the Magistrate Judge. 28 U.S.C. § 636(b)(1)(C). The district court is not required to review – under a de novo or any other standard – those aspects of the report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The district court should adopt the findings and rulings of the Magistrate Judge to which no specific objection is filed. Id. at 151.

Tard has not objected to the Magistrate Judge's Report and the deadline to do so has passed. Because Tard has failed to object, Arn counsels the Court to adopt the Report in its

entirety. Id. Adopting the Report is consistent with the policies underlying § 636, specifically judicial economy and protecting against the "functions of the district court [being] effectively duplicated as both the magistrate and the district court perform identical tasks." Howard v. Sec'y of Health & Human Servs., 932 F.2d 505, 509 (6th Cir. 1991).

For the foregoing reasons, the Report is ADOPTED, and Baptist's Motion for Summary Judgment is GRANTED.

So ordered this 7th day of January, 2014.

s/ Samuel H. Mays, Jr. _____
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE